

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

STEVEN E. JOHNSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 18-cv-1260-JPG-RJD
)	
NURSE BONNK/BONNIE, et al,)	
)	
Defendants.)	

ORDER DISMISSING CASE

GILBERT, District Judge:

On September 4, 2018, Plaintiff was ordered to pay an initial partial filing fee of \$4.54 no later than September 18, 2018. (Doc. 23). Plaintiff was also ordered to either pay the remainder of the \$350 filing fee (\$345.46) or file an updated motion for leave to proceed *in forma pauperis* (“IFP”) by that same date. *Id.* Plaintiff was clearly warned in that Order that failure to do so would result in dismissal of this case. The date to comply has passed, and Plaintiff has failed to comply with that order. As a result, this action is **DISMISSED** without prejudice, for failure to comply with an Order of this Court. **FED. R. CIV. P. 41(b)**. This dismissal shall **NOT** count as one of Plaintiff’s three allotted “strikes” under 28 U.S.C. § 1915(g). Plaintiff’s obligation to pay the filing fee for this action was incurred at the time the action was filed, thus the filing fee of \$350 remains due and payable. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

The Clerk’s Office is **DIRECTED** to close this case and enter judgment.

IT IS SO ORDERED.

DATED: October 1, 2018

s/J. Phil Gilbert
United States District Judge